

AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON TUESDAY, JULY 5, 2005

Board Members Present: John F. Coates, Chairman
Steven E. Nixon, Vice-Chairman
William C. Chase, Jr.
Sue D. Hansohn
James C. Lee
Brad C. Rosenberger
Steven L. Walker

Staff Present: Frank T. Bossio, County Administrator
J. David Maddox, County Attorney
Valerie H. Lamb, Finance Director
John C. Egertson, Planning Director
Paul Howard, Director of Environmental Services
Peggy S. Crane, Deputy Clerk

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Lee led the members of the Board and the audience in the Pledge of Allegiance to the Flag.

CALL TO ORDER

Mr. Coates, Chairman, called the meeting to order at 10:00 a.m.

RE: APPROVAL OF AGENDA - ADDITIONS AND/OR DELETIONS

Mr. Frank Bossio, County Administrator, stated that the **PRESENTATION BY SHW GROUP, LLP** would not be given by Mr. Derk Jeffrey of the SHW Group due to a scheduling conflict, but asked that the item remain on the agenda for a discussion by the Board. Mrs. Hansohn and Mr. Nixon, who serve on the School Oversight Committee, agreed such a discussion would be helpful.

Mr. Walker asked that **RULES COMMITTEE REPORT** be added under **COMMITTEE REPORTS** to discuss a proposed meals tax.

Mr. Chase requested that a discussion be added regarding the grass at the Community Complex. Mr. Coates stated that could be included during the **UPDATE ON CULPEPER COMMUNITY COMPLEX**.

Mr. Walker moved, seconded Mr. Lee, to accept the agenda as amended.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

RE: MINUTES

The minutes of the June 7, 2005 regular meetings were presented to the Board for approval.

Mr. Nixon moved, seconded by Mrs. Hansohn, to approve the minutes as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSENT AGENDA

Mr. Bossio reviewed the following Consent Agenda with the Board:

- a. The Board will consider approving the appropriation of a grant for the Department of Emergency Services from the Virginia Department of Emergency Management, which has received funding from the U.S. Department of Homeland Security in the amount of \$75,592.41. No local match requirement for this grant. County share \$45,150.81; Town share \$30,441.50, and \$47,500.00 for the Fire and Rescue Association;
- b. The Board will consider approving acceptance and appropriation of a grant for the Parks and Recreation Department from Virginia Municipal League (VML) in the amount of \$1,000. Local match is 50/50 with local funding from the Parks & Recreation Department's operating budget. The grant funds will be used to replenish safety surface material at Spilman Park's playground;
- c. The Board will consider approving a grant application for the Sheriff's Office from the Department of Criminal Justice Services for a TRIAD Grant in the amount of \$2,500. Local match of \$250 to come from the Sheriff's Operating Budget. The funds will be used to support continuing the existing TRIAD Program and integrating Project Lifesaver functions for senior citizens;
- d. The Board will consider acceptance of a grant and approval of a budget amendment for the Sheriff's Office from the Virginia Tobacco Settlement Foundation in the amount of \$54,760. Local match \$9,924. The grant funds will be used to promote smoking cessation in the public schools.
- e. The Board will consider a motion to ratify approval for the Inn at Kelly's Ford to discharge fireworks on July 4, 2005 (Board previously polled; requires ratification).
- f. The Board will consider a motion to ratify approval for Edward F. Burg III to discharge fireworks on July 4, 2005. (Board previously polled; requires ratification).

Mr. Nixon moved, seconded by Mr. Lee, to approve the Consent Agenda as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

GENERAL COUNTY BUSINESS

INTRODUCTION OF DIRECTOR OF GERMANNA CENTER FOR ADVANCED TECHNOLOGY

Dr. Frank Turnage, President of Germanna Community College, informed the Board that construction of the Technology Center was on schedule to be completed by February 2006. He introduced Dr. Cynthia Siira, the new Director of Germanna Center for Advanced Technology, and provided detailed information on her educational background and experience. He acknowledged Mr. Jerry Raines, representing Germanna Community College, and Mr. Butch Davies, a member of the Germanna Educational Foundation, who were in the audience.

Dr. Siira stated she was pleased to be back in Culpeper and was looking forward to the opening of the Germanna Center for Advanced Technology. She provided information on various contacts she had made within the region to ensure a sound community college system and to provide continuing education for the community's work force trainees and employers.

Mr. Walker asked Dr. Siira whether she had been in touch with the Culpeper High School's technology programs. Dr. Siira assured him she had been working with the staff of the Career Academy.

Mr. Coates asked whether some of the classes could be credited to encourage people to further their education. Dr. Turnage stated there would be both classes for credit and noncredit, to be determined by the students' career goals.

Mr. Coates thanked both Dr. Turnage and Dr. Siira for coming and welcomed Dr. Siira to the community.

Dr. Turnage expressed his appreciation to the Board for its spirit of support and financial commitments that enabled the Center to be established.

PRESENTATION OF SERVICE AWARD

Mr. Coates presented a Service Award to Mr. Douglas Corbin, on behalf of the Board, in recognition of 25 years of service to the County's Sheriff's Department. Mr. Corbin thanked the Board for the award.

Mr. Bossio read the following into the record: "This Service Award is hereby presented to Douglas Corbin in recognition of over 25 years of his loyalty, dedication, diligence and performance in public service to the citizens of County of Culpeper, Virginia. Signed July 5, 2005, John F. Coates, Chairman."

PRESENTATION BY CHAMBER OF COMMERCE

Mr. Todd Ross, President of the Chamber of Commerce, informed the Board that the Chamber's Business Development Assistance Committee was developing a "Work Where You Live" campaign. He presented the main goals of the Committee: (1) To educate the approximate 52 percent of the community's workforce who out-commute to work each day on employment opportunities available to them in Culpeper County; (2) to work together with local employers to attract highly trained and motivated employees by sharing information with HR Directors of local businesses; and (3) to expand existing knowledge about the skill set of the local employee base as a way to attract more businesses.

Mr. Joe Raichel, Chair of the Business Development Assistance Committee, explained that the Committee had been working on a "Work Where You Live" campaign for several months, and shared some tactics being discussed to accomplish the goals that had been set. He reported details of a planning session held May 12, which was attended by approximately 45 representatives from County and Town government, the School Board, and several major employers and their HR personnel, to discuss the basics of the program and to determine interest in the campaign. He said the group agreed to create a website to provide a one-stop resource, to use mobile and other billboards, and to obtain radio and TV coverage. He said funding mechanisms, other than the participants' resources, were discussed, such as seeking available grants with the assistance of the Rappahannock Rapidan Regional Commission. He noted that the Committee would kick off the campaign in late summer or early fall, and he would keep the Board informed of progress.

Mrs. Hansohn stated the campaign was an excellent idea and inquired whether the Committee had talked with the employers about offering various benefits and increased wages. Mr. Raichel replied they had not discussed specifics with the employers as yet, but those and other issues would be addressed in order to attract qualified employees. He said the employers' goal at this point was to have a central point of contact in which they could pool information regarding multiple opportunities in the County. He acknowledged that employers were having difficulties in hiring and retaining qualified employees, but felt that the campaign would provide them with information on available skill sets and talents of potential employees.

Mrs. Hansohn suggested the Committee contact the Culpeper County Career Resource Center because a large number of new people to the County came through that system.

Mr. Walker stated it was appropriate that the Committee made contact with the School's Career Academy, and suggested they reach out to the entire high school establishment on a regular basis. Mr. Raichel agreed that was a good idea.

Mr. Raichel recognized other members of the Committee who were present: Norma Dunwody, Executive Director of the Chamber; Bruce Clark, a local attorney; and Carl Sachs, the County's Economic Development Director.

Mr. Lee thanked Mr. Raichel and members of the campaign for their efforts. He noted that commuters spent a large amount of money in other communities, and bringing those dollars back into the community would help the County and local businesses flourish. Mr. Raichel agreed that shopping where you lived was a benefit, but felt there were other residual benefits to those commuters, their families, and to the community, such as reducing traffic on the highways and the hours spent commuting.

Mr. Coates thanked the Chamber's representatives for the excellent presentation.

RESOLUTION FOR RETURN OF SAVINGS ON VPSA BONDS

Mr. Bossio informed the Board he was presenting a resolution regarding the return of savings through Virginia Public School Authority (VPSA) bonds. He asked Mrs. Valerie Lamb, Finance Director, to provide background on the matter.

Mrs. Lamb explained that the County had received notification from the State Treasury Department that the VPSA was conducting a refunding on bonds issued in December 2003, and Culpeper County would be receiving \$217,405.94 as a result. She said the State had indicated a resolution would have to be approved by the Board in order to receive the refund, and the refund must be used for capital issuances related to schools. She said the County's bond counsel, McGuire Woods, had reviewed the resolution, and it was being submitted for the Board's approval.

Mr. Walker asked whether the Board had to designate which school project would receive the funds. Mrs. Lamb replied that the Board would have to make that decision, and she would come back to the Board for direction once the funds had been received. She added that the money could not be used for debt service to pay off school projects, but could be used to reduce the amount of borrowing for the school project or other capital school projects.

Mr. Walker suggested the funds go toward the off-site improvement for the high school, particularly road improvements. Mrs. Lamb agreed the money could be used for that purpose, but it would be a Board decision.

Mrs. Hansohn moved, seconded by Mr. Nixon, to approve the resolution for return of savings on VPSA bonds.

After a general discussion regarding whether to identify the school project in the motion, a consensus was reached to make that decision after the funds were received.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

UPDATE ON CULPEPER COMMUNITY COMPLEX

Mr. John Barrett, Director of Parks & Recreation, reviewed the chronological events of the Community Complex project, provided a visual presentation on the progression of building the Complex and explained highlights of the progression of the athletic fields and parking lot. He discussed the widening and paving of Jonas Road, awarding a contract for wetland mitigation, testing the well house pump that would be providing domestic water and potable water for irrigating the fields, and development of turf strategies. He announced that April 2006 was the target date for the grand opening.

Mr. Chase inquired about playing fields for adult use. Mr. Barrett replied that softball fields for adults had been planned for Phase II, but since the school site had been moved into the area proposed for that purpose, staff would be looking at other areas to be used. He mentioned that the youth fields could be used by adults whenever available. Mr. Coates suggested that perhaps private industry would see fit to establish some of those fields.

Mr. Nixon inquired whether the offsite drainage issues had been resolved. Mr. Barrett replied that they were in the process of being resolved at the present time. He said that Timmons Engineering had submitted upgrade plans to VDOT and they were under review.

Mr. Nixon asked whether the adjacent property owners were in agreement with the plans. Mr. Barrett stated he was not positive about that issue.

Mr. Coates asked Mr. Donald Gore, VDOT Resident Engineer, to come forward and discuss the drainage problems.

Mr. Gore explained that there was an increase in drainage going across Jonas Run, and the original plan had been to control the water onsite by directing the excess water into storm water management basins, but that had not been the case. He noted that in the last conversation with the Greens, the property owners, they were not interested in ditching the water. He said the Timmons Group had suggested installing four lines of 36-inch pipe at one place and two lines of 42-inch pipe at another place in order to handle additional drainage. He stated that VDOT had recommended the County install the pipes and VDOT would build the road to the pipe, because there would be a delay of 8 to 12 months before VDOT could obtain environmental clearances to install the pipes.

Mr. Walker asked whether the amount of water was due to the fact there was little or no vegetation in that area. Mr. Gore replied that the increase of water was in the area where the road and parking lot were built, and vegetation was not there to direct the water further down.

Mr. Chase stated that after the grass was laid, it might help alleviate the problem.

Mr. Coates asked Mr. Barrett to note Mr. Chase's comment regarding the grass.

UPDATE ON CULPEPER RECREATION FOUNDATION FUNDRAISING EFFORTS

Mr. Charlie Barrell, Chairman of the Culpeper Recreation Foundation, reported that the Foundation had been contacting numerous people in the community regarding contributions and they had begun to receive concrete responses. He said the largest contributions to date had been a pledge by Trigon Development Corporation for \$100,000 over the next five years, a pledge by Second Bank & Trust for \$37,500 over the next five years, Greg and Liz Yates donated \$25,000 for the project, Joe Daniel pledged \$25,000, Cedar Mountain Stone pledged \$25,000 over the next five years, and Wachovia Bank pledged \$5,000. He said that Hunter Spencer, a local architect, had donated his services to design the concession and rest room buildings at two locations onsite – one near the soccer and football fields and at the baseball field – and Piedmont Virginia Building Industry Association has expressed an interest in building those facilities. There has been interest among members of the PVBIA in providing a general contractor and contributing materials and subcontractor services. He added that Ben Tissue, a local landscape architect, had contributed his services in designing a landscape plan for the basic purpose fields and entrances.

Mr. Barrell stated that a total of approximately \$217,000 had been pledged or donated, and that figure did not include smaller contributions from individuals in the community. He envisioned focusing on large gifts for another three to six months and then proceeding to a public campaign. He anticipated an opening of the park the first weekend in April in order to accommodate the beginning of the soccer and Little League baseball spring season. He said he understood the need for adult recreation, but there were many youth who would be using the fields. Last year there were approximately 2,000 Culpeper County children who participated in soccer, baseball, football and lacrosse.

Mr. Nixon asked whether the canteen and bathroom facilities would be completed prior to opening the park. Mr. Barrell replied it was not an absolute, but he anticipated that those facilities would be completed by the opening.

Mr. Barrell informed the Board that the Foundation would continue its work to address the recreational needs in the County and would continue to raise money to address those needs in the years ahead. He said that the Foundation was also working to create a large walking trail around the new high school and hoped space could be identified for that purpose.

Mr. Chase expressed his concern regarding the expensive fencing proposed around the fields and recalled that sheets of plywood were used when he played Little League.

Mr. Barrell stated all of the fences would be chainlink with plastic tubing on top for protection. He noted advertising could be placed on the fences in order to raise money. He said he had contacted Verizon who had made a large contribution to the County library, but that organization contributed only to literacy, computer awareness and job training.

Several members of the Board thanked Mr. Barrell for the great job the Foundation was doing.

Mr. Coates recessed the meeting at 10:55 a.m.

Mr. Coates called the meeting back to order at 11:10 p.m.

REVENUE SHARING REQUEST RESOLUTION

Mr. Egertson stated that the Board had a detailed discussion at last month's meeting regarding revenue sharing and the fact that VDOT had made up to \$1 million available this year, an increase from what had been available in the past. He said the Board had directed staff to prepare an application for the full \$1 million: \$600,000 directed toward the Connector Road from Routes 729 to 522 and \$400,000 directed to offsite improvements related to the high school. He asked for the Board's approval of a cover letter to be signed by the Board Chair and a resolution requesting \$1 million in revenue sharing funds.

Mr. Chase moved, seconded by Mrs. Hansohn, to approve the letter and resolution as submitted.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSIDERATION OF RESOLUTION TO POST SPEED LIMIT SIGNS

Mr. Egertson informed the Board he received a request from a resident of Route 626, Black Hill Road, for the Board to ask VDOT to post speed limit signs in that area. He said that VDOT would not consider or study a road for State limit reduction unless requested by the Board of Supervisors. He explained that Route 626 was an unposted road currently carrying the State limit of 55 miles per hour and was paved for a small section closest to Route 229 before becoming a gravel road. He said that staff had no issues with the request and had drafted a resolution for the Board's consideration.

Mr. Rosenberger moved, seconded by Mr. Nixon, to adopt the resolution as presented.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

THREE-PARTY WATER AGREEMENT FOR CANNON CROSSING

Mr. Egertson asked for the Board's consideration of a three-party agreement to provide water to a property located on Route 686, Lovers Lane, zoned M1 (Light Industrial). He explained that a parcel or two had been cut from the parent tract that had been developed for office-type use. He said that Cannon Properties would like to subdivide the entire property, create 14 lots for light industrial or office-type uses, and obtain water from the Town of Culpeper. He stated that each lot could be served with a drainfield and accommodate an individual well, but there was water service directly along Lovers Lane at this location. He said that a three-party agreement had been prepared to allow the Town to provide this industrial subdivision with water only, not sewer, and he anticipated that the Town Council would approve the related two-party agreement at its next meeting.

Mr. Walker questioned whether the present zoning would allow residential development. Mr. Egertson stated that residential development would be allowed, but the agreement indicated that Cannon Properties would be building an industrial development.

Mr. Walker asked for clarification that the concept plan would be maintained under the agreement. Mr. Egertson explained the concept plan was basically a subdivision plan showing the road connecting from Lovers Lane to Industrial Drive, the 14 lots situated around that road, and the proposed location of the water line along that new road. He said that the stated intent was for light industrial or office-type uses, but the concept plan would not hold them to those uses.

Mr. Walker asked how many residential parcels could be accommodated on this property. Mr. Egertson replied that the concept plan showed 14 parcels and that would allow for 14 residences of one to six acres each.

Mr. Rosenberger pointed out that if residential were the intended use, the applicant would not need to ask for water because each lot could have its own wells and septic systems.

Mr. Dick Clore, Realtor, stated that there was a restricted covenant for Eller Ridge that limited development to totally commercial and/or industrial.

Mr. Egertson stated he was not familiar with the covenant, but the property was originally part of the Eller Ridge tract.

Mr. Lee moved, seconded by Mr. Chase, to approve the three-party agreement upon Town approval of a related two-party agreement for service.

Mr. Walker asked whether there had been any feedback from the Town in regard to its position. Mr. Egertson replied that he had spoken to Chuck Stephenson, Town Engineer, and Town staff had no concerns since he and Mr. Stephenson had prepared the two-party and three-party agreements together.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSOLIDATION PROGRESS REPORT

Mr. Bossio presented a progress report on the ongoing consolidation efforts with various entities in the County, including the School Board, Department of Human Services and the Sheriff's Department. He stated that the areas of discussion during the last meeting were Finance/Budget and Human Resources. He noted that the School Board had passed a resolution regarding consolidation of services and it would be fully discussed at the next Consolidated Services meeting in July.

See Attachment #1 for details of meeting.

CONSIDERATION OF APPLICATION FOR HAVA FUNDS FOR VERIS REMEDIATION

Mr. Bossio informed the Board that the County had been mandated to place the Registrar's Office on the County network and to provide services and support effective in August. He asked Dianna Catron, Director of Information Technology, to discuss the implementation of that mandate.

Ms. Catron reported that the new Virginia Electoral and Registration Information Services (VERIS) system, as part of the Federal Act of 2002, mandated that the State must improve its registration program for the public. The State has subsequently mandated that the localities must provide complete Internet and e-mail services in order to operate the new VERIS system across the State. She stated she submitted an application for remediation to the Virginia Technologies Division in the amount of \$7,600.75, which had been approved, and she was ready to order the equipment. She said the plan was to shoot a wireless signal across the street from the old Town Hall, as soon as it was ready, to the Registrar's Office. She indicated that the \$7,600 would cover the switch, wireless communication and dish in both the Registrar's Office and the Town Hall, but would not include computer equipment and printer.

Mr. Coates inquired about the State's deadline. Ms. Catron stated the deadline was mid-August, but the State was making arrangements to put the Registrar's Office on the DLS line during the interim period until the County could bring them on line in December.

In answer to Mr. Walker's question regarding the November election, Ms. Catron stated there were no implications for that election.

Mr. Walker moved, seconded by Mr. Nixon, to approve the HAVA funds for VERIS remediation.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

PRESENTATION BY SHW GROUP, LLP

Mr. Bossio informed the Board that he had asked Mr. Derk Jeffrey of the SHW Group to attend the Board meeting to provide an update on the school construction project, but he was on vacation. He said he attended the June 29th School Oversight Committee (SOC) meeting at which Mr. Jeffrey made a presentation that included changes in construction costs for the new high school. He said even though Mr. Jeffrey was unable to be present for the Board meeting, he felt that the Board members on the SOC could provide some information for discussion purposes.

Mrs. Hansohn stated she had given each Board member a copy of the minutes of the June 1 meeting of the SOC and a cost update sheet. She said it was clear that prior to June 1, the price for the new high school was \$41.3 million for the building and site work and \$11 million for soft costs, but those prices changed in June to more than \$43 million for the building and site work and a 5 percent design contingency of \$2.1 million had been added. She said she was under the impression that a construction contingency had already been included in the soft costs.

Mr. Bossio stated that he had not received answers to his questions at the SOC meeting. He said that \$11 million for soft costs included \$2.3 million – \$2 million for the architect's fee and an additional \$300,000 if the project were brought in on time – and there was a 5 percent construction contingency in that soft costs figure, but it was not explained what the additional \$2.1 million covered. He said he understood that construction costs increased, but the size of the building had also increased from 254,000 square feet to 260,000 square feet. He pointed out that the nominal cost of the building at \$167 per square foot times the 6,000 additional square feet equaled \$1.003 million, which would constitute some of that cost and the rest could be attributed to escalation of costs. He said the real question was whether that was covered in the 5 percent construction contingency.

Mrs. Hansohn pointed out that the previous building costs were \$36.9 million and were now \$39 million-plus, and that additional square footage should have been met in that change.

Mr. Walker stated he could not provide any clarification to that change, and he was disappointed Mr. Jeffrey was not present to answer these questions. He said that during the SOC meeting, Mr. Bossio noted that the statewide average per student was 125 square feet and the County average was 167 square feet per student (which was considerably over the

state average) and Mr. Jeffrey had indicated that was due to the school's robust Career and Technical program. Mr. Walker stated he would like to know why it was considered "robust".

Mr. Bossio stated he had made reference to two schools recently completed in Loudoun County at the statewide average of 146 square feet per student and a school in Stafford at 132 square feet per student. He said his question to Mr. Jeffrey was if these were the state averages, the County's 260,000 square feet for a 1500 student school would equate to 173.4 square feet per student. He said he would try to obtain a more detailed report from Mr. Jeffrey regarding the reason for that was because of the "robust" Tech program.

Mrs. Hansohn stated the reason she wanted to have a discussion was that some of the Board members would be going to New York the end of July to obtain bonding of the funds in the amount of \$53 million, which had been budgeted for the school, soft costs, etc. She said at the end of the SOC meeting, everyone agreed that the \$53 million figure would remain. She indicated that Mr. Joe Daniel, SOC Chair, said the Committee would review the soft costs to determine whether changes could be made there. She said she wanted the Board to be aware that changes had been made in the figures, but \$53 million would be the figure taken to New York.

Mr. Walker expressed his concern regarding a discussion at the SOC meeting relating to reducing soft costs to add to the building costs. He believed that the building costs should stay at the level approved by the Board.

Mr. Bossio stated that \$41.3 million was the amount for the building and site work, but that figure was rounded to \$42 million during the budget process, plus \$11 million for the soft costs, including the architect's fees, 5 percent contingency, and furnishings, for a total of \$53 million for the construction of the school. He said there was an additional \$4 million for offsite road improvements and water/sewer improvements, \$2.5 million for new site development at the current High School, and \$2.3 million for the "Classroom Building in the Middle", for a total of \$61.8 million, which was budgeted at \$65 million for debt service.

Mr. Nixon stated he had been calling various School Boards in surrounding counties and was amazed to find that counties such as Prince William had been building schools at considerably less than the County's costs. He said Prince William had built 18 schools in the past 10 years and was opening five new schools this year alone, one of which was a 2,100-student high school at \$45 million, which covered soft costs, site work and a ready-to-go building. He noted they used package plans, with different sets for the high schools, middle schools, and elementary schools and were getting a considerably better deal than Culpeper County. He also noted that Stafford County would be opening a 1,800-student high school this

fall, as part of the PPEA project, for \$36 million, including land, site costs, but not soft costs. He questioned why the cost of the County's 1,500-student high school was continuing to climb above what was happening in surrounding counties.

Mr. Bossio pointed out that when Mr. Jeffrey gave his briefing, he addressed two explicit areas: The increase of 6,000 square feet to the building recently through the program discussions; and 6,000 square feet at \$167 per square foot or approximately \$1.003 million. He said the balance was attributed to escalating costs of goods due to transportation, but he never received a breakdown of those costs.

Mr. Nixon expressed concern regarding the disparity between the cost of building schools by other counties at approximately \$20,000 per student and Culpeper's cost at \$29,000 per student. He said that needed to be addressed.

Mr. Lee questioned why programs continued to change and the square footage continued to increase and expressed concern regarding the effect that would have on the bidding process.

Mrs. Hansohn stated that the SOC had a time line for going out for bid and bids being returned and reviewed and she did not believe that asking questions would delay that process. She said that questions needed to be asked about the inclusion of a \$2.1 million design contingency at this late date and she would like to have Mr. Jeffrey's answers in order to have a clearer understanding of what was involved.

Mr. Nixon asked whether those going to New York to discuss the bonding issue would need to have a clear idea of what the money would be used for, such as construction, soft costs, etc. Mr. Bossio replied that the County would have to provide the bond issuers with a detailed picture of what was covered in the \$53 million request. He said he did not believe the bond issuers would be concerned whether some money was moved from one category to another, but he did not have a definite answer on that.

Mr. Nixon stated that at some point, the Board needed to decide exactly what amount would be spent on what category. Mr. Bossio explained the meeting in July was for the purpose of weighing the County's financial viability in borrowing and repaying those dollars. He said that they would talking in round terms, and at the Board's August meeting, a formal resolution would be submitted with full details of how the money will be acquired and how it will be spent.

Mr. Nixon stated that the County had hired an architectural firm to design the high school for \$2.3 million and he questioned why there was a need for a design contingency of an almost equal amount. Both Mrs. Hansohn and Mr. Nixon stated they needed an answer to that question also. Mr. Bossio replied that he did not have an answer, but would invite Mr. Jeffrey

for a discussion at the August meeting and would ask Dr. Cox as well to discuss the nature of program changes.

Mr. Lee stated that the point he was trying to make earlier was that the people going to New York needed to have their “act together” because there would be some tough questions asked.

Mr. Coates requested additional information concerning the trip to New York. Mr. Bossio stated that the meeting was scheduled for July 27 and 28, and he, the interim Treasurer, Mrs. Hansohn, and a financial advisor from Davenport & Company, LLC, would be going.

Mr. Coates suggested that Mr. Nixon attend due to his background, as well as any other Board member who was interested.

Mr. Bossio assured the Board that in terms of the financial viability of the County, those attending were perfectly capable of answering all of those questions, but he was unable to provide any more detail than the original breakdown of the \$53 million – \$42 million for the new school and \$11 million for soft costs. He said he anticipated he would be able to obtain additional information on an informal basis prior to July 27.

Mr. Nixon stated that he would make arrangements to go to New York if it was the will of the Board. He expressed concern that the SOC had agreed on the basic design and footprint of the school and the site plan to accommodate that design, and the addition of 6,000 square feet would change those plans and add additional costs to the building and site work. He asked whether the additional \$1 million included those costs.

Mr. Bossio said it was his understanding that reducing the scope of the building did not change the site work because ceiling heights were lowered and other interior changes were made which did not change the balance in any substantial manner.

Mr. Walker pointed out that an additional 20,000 square feet were added at some point, but that figure had been reduced at the last meeting by 14,000 square feet to 6,000 square feet, primarily by reducing the hallway space. He said he expressed concern because the major problem at the current high school had been the congestion in the hallways. The architect had stated the hallways would not be congested in the new school because of the layout even though the width of the existing hallways was the same as the hallways in the new high school.

Mr. Rosenberger inquired whether there was any plans for the Board to meet before the trip to New York, particularly in view of the concerns expressed. He said he was not requesting another meeting, because the figure for bonding had been established and further discussion at this late date served no purpose. He stressed that no changes in the amount requested should be made during the meetings in New York.

Mr. Bossio explained that he delivered that message to the SOC and Mrs. Hansohn articulated also that the agreement was the Schools would live within the \$53 million budget figure. He said he would move forward with that amount unless the Board directed otherwise.

Mrs. Hansohn stated she was comfortable that \$53 million was the amount and the SOC agreed.

Mr. Walker stated he was concerned about mixing soft costs and building costs, and the Board should stay with the formula agreed upon, not just the \$53 million but the original breakdown of the funding. Mr. Bossio pointed out that would be detailed in the resolution.

Mrs. Hansohn stated she was concerned about the workload on the Building Department because they are going to spend a lot of time and energy on inspections, etc. She suggested that Mr. Bossio work with Bill Myers, the Building Official, to determine whether additional staff would be required and whether the two ideas could be combined.

Mr. Bossio stated that he had an initial discussion with Mr. Myers, and Hunter Spencer also had a discussion with him, but he and Mr. Spencer arrived at different conclusions. He said that Mr. Myers was on vacation last week, and he planned to talk with him this week to determine what could be done in-house and whether he would need help for the peer review for the inspection portion of the project.

Mr. Walker pointed out that for value engineering or the peer review, the County would need to go through the RFP process, and it would be interesting to see what results were obtained as a result of an RFP.

Mr. Chase expressed strong objections to hiring any additional people. He said there were already a lot of checks in-house, such as the School's architect and the Building Official's Office, and millions of dollars should not be spent on hiring additional help.

Mr. Walker stated he wanted to make sure everyone was aware that the time line was running short and if any action were to be taken, it should be done soon.

Mr. Coates stated that he agreed with Mr. Chase that there was sufficient expertise in-house to do this work.

NEW BUSINESS

COMMITTEE REPORTS

RULES COMMITTEE REPORT

Mr. Walker stated he would like to obtain some feedback from Board members regarding placing a referendum on the November ballot for a meals tax because the Rules Committee would be discussed its next meeting.

Mr. Nixon indicated he had received comments after the last election from several

individuals who indicated they would have supported a meals tax if they had known what it was. He stated he thought it would be appropriate to bring it up again at the next election because there was more support for it than anyone realized.

Mr. Coates agreed that the lack of understanding contributed to the meal tax failure the last time it was on the ballot. He said the County Attorney advised him the Board could support the meals tax up until the time it went to the Court to start the process.

Mr. Dave Maddox, County Attorney, stated the statute stipulated that when the Board placed a ballot issue on for referendum, members could not actively promote the issue. He said the Board could present a neutral statement, not supporting or opposing it, but explaining the referendum issue. He stated the Board as a body could not actively support the passage of the referendum issue.

Mr. Lee said he interpreted that to mean Board members could individually actively support the meals tax or not support it.

Mrs. Hansohn pointed out it was a good way to raise funds for schools and offset taxes.

Mr. Maddox stated he would research the issue further and provide the Board with a definite answer, but from his research the last time, the limitation was on the Board as a body.

BUILDINGS & GROUNDS COMMITTEE REPORT - JUNE 14, 2005

Mr. Lee reported that Buildings & Grounds met and had three action items. He said the first item was the Employee Vehicle Policy, which had been under review for several months and was being recommended to the full Board for approval. He noted that Mr. Coates had expressed concern regarding the 20-mile radius covered in the policy, and an amendment alleviated those concerns by placing the decision-making process with the County Administrator to determine the viability of the 20-mile radius rule. He said also that the name of the vendor had been removed and replaced with "approved County vendors".

Mr. Lee moved, seconded by Mrs. Hansohn, to approve the Employee Vehicle Policy.

Mr. Coates stated he would support the motion, but he had expressed his concern in Committee because he believed that County vehicles should stay in the County.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Lee reported that the Committee discussed the expansion of the Galbreath Marshall campus and was recommending that staff proceed with a request to the Town for rezoning the Human Services Building property. He asked Mr. Paul Howard, Environmental Services Director, to provide additional information.

Mr. Howard explained there was a discussion at the meeting about expanding the proposed new building that would be situated next to the Galbreath Marshall building by adding an additional floor, which would require rezoning approval by the Town.

Mr. Lee moved to request the Town to rezone the property to C-2 which would allow the option of adding an additional floor to the proposed new building. Mr. Nixon seconded for discussion purposes.

Mr. Coates noted Mr. Howard had made it clear to the Committee that it was less expensive to build up, rather than out, and the current zoning placed a limitation on the height of the building.

Mr. Nixon asked how many floors were contemplated for the new building. Mr. Howard replied that it was a three-story building that may become a four-floor building. Mr. Nixon asked whether another building on the same site was contemplated. Mr. Howard replied that the current proposal was to add an additional floor to the proposed new building.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Lee stated that the third item, which had been tabled last month, was a request for a supplemental appropriation of \$100,000 to install culverts at both locations of Jonas Road. He asked Mr. Howard to discuss the request in more detail.

Mr. Howard explained that staff had been working on the culvert issue on Jonas Road for some time with the Soil and Water Conservation District (SWCD) and VDOT. He said all parties had finally agreed to the size and requirements for the culverts under Jonas Road to prevent any erosion or adverse impacts on the Greens' property downstream. He said a drainage easement had not as yet been obtained from the Greens because they wanted to wait to resume negotiations until final approval had been obtained from VDOT and the SWCD.

Mr. Howard stated that the supplemental appropriation request was to have SW Rodgers install the culverts in lieu of VDOT at a bid price of \$90,000. He said the work now being proposed exceeded the work VDOT had planned doing on Jonas Road. He noted that staff still would have to approach the Greens regarding the two drainage easements.

Mr. Coates pointed out that the issue on Jonas Road was not just the pipes, but that the fill over the pipes would elevate the road and result in a bump. He said that VDOT would take that into account when designing Jonas Road to pave it as part of the grant. He said that Mr. Gore was in the audience earlier but had to leave, but noted Mr. Gore had been busy with year-end projects and had not had a chance to review the work done last week.

Mr. Walker asked whether the grant to pave Jonas Road included the bridge or the culvert pass-over. Mr. Howard replied that the grant was for VDOT to pave Jonas Road from the park entrance to Green's Corner and other roads onsite. He said the intent was to take the existing 24-inch pipe and increase it one or two sizes, but when VDOT engineered the culverts, they found more much needed to be done than anticipated.

Mr. Walker asked what would be done with any funds left over from the \$100,000. Mr. Howard replied that VDOT indicated if there were funds left over after paving Jonas Road, they would continue paving Jonas Road towards Inlet. He said VDOT had the expense of increasing the middle of the road and, with the culverts being larger and with the hump in the road, more fill would be required to complete the project.

Mr. Coates asked Mr. Egertson whether there were any funds left over from any of the revenue sharing projects to offset some of the additional expense. Mr. Egertson replied that the Board approved \$250,000 of new revenue sharing money earlier, but at this point all existing revenue sharing accounts had been taken to their levels. Mr. Coates commented that \$100,000 was a lot of money to put into road building when it could be used for recreation or education.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #2 for details of meeting.

PUBLIC WORKS COMMITTEE REPORT - JUNE 21, 2005

Mrs. Hansohn reported that a large number of people attended the Public Works Committee meeting to express concern about the Skyline Water Company's increasing rates by 50 to 60 percent or higher and placing a limitation on the water they could receive. She said Mr. Lee made a motion to poll the Board for approval to send a letter to the State Corporation Commission (SCC) asking for a public hearing in Culpeper, which was done. She said the SCC had agreed to a meeting, but no date had been set. She reported there other issues would be postponed until the Skyline community well issue had been investigated.

Mrs. Hansohn stated the Committee considered availability fee increases at the Culpeper County Airpark and asked Mr. Howard to provide an overview of that discussion.

Mr. Howard explained that the Committee discussed increasing the availability fees at the Culpeper Industrial Airpark for water and sewer from \$6,000 to \$20,000 per connection in order to fund the required improvements needed to the wastewater and water treatment system in that portion of the County. He said the existing wastewater treatment plant was running close to 60 percent capacity and was not designed to remove the required nutrient limits set by DEQ.

He noted there were three new tenants moving into the Airpark in the next year which would further erode the capacity of the current treatment plant. He stated that in reviewing the design master plan, a financial analysis of the 1½ million-gallon-per-day wastewater treatment plant and storage tanks would cost the County approximately \$11 million. He indicated that DEQ had given the County a 1.5 million-gallon-per-day waste allocation for the proposed treatment plant and, if it were not built by 2010, the County would lose whatever allocations the DEQ had issued. He said the Comprehensive Plan included development in the Brandy Station, Elkwood and Airpark areas, and the developers would be asked to pay for any of the line work to serve their projects. He noted that the fee would be further refined prior to the wastewater treatment/water plant going to bid and as further financial information was received, but \$20,000 per connection was in the “ballpark” area.

Mrs. Hansohn moved, seconded by Mr. Lee, to increase the availability fee to \$20,000.

Mr. Nixon asked whether \$20,000 was in line with the out-of-town rate. Mr. Howard replied that the out-of-town rate was approximately \$18,000 at the present time.

Mr. Coates called for voice vote.

Ayes - Chase, Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #3 for details of meeting.

E-9-1-1 BOARD OF DIRECTORS REPORT - JUNE 16, 2005

Mrs. Hansohn reported that the E-9-1-1 Board met but had no action items to bring forward to the full Board. She said the Board elected Thomas Williams, Office of Emergency Management Director, as Vice Chair.

See Attachment #4 for details of meeting.

ECONOMIC DEVELOPMENT REPORT

Mr. Carl Sachs, Economic Development Director, presented the following report:

1. Efforts continue to refine the eligibility process for businesses in the proposed technology zones. The Economic Development Advisory Committee does not believe there should be a defined cut-off point on whether a business is eligible or not eligible, and a matrix is being designed to consider factors in determining eligibility and benefit, such as number, type and wages of jobs created, the amount of investment, and the size of the facility.
2. A meeting was hosted by the Orange Chamber of Commerce and Thomas Jefferson Partnership for Economic Development on the concept of creating one or more regional industrial parks in the eight-county area served by the Thomas Jefferson Partnership. The Deputy Director of the Virginia Economic Development Partnership and two representatives

from Washington and Smith Counties discussed public vs. private industrial land for economic development purposes. They thought it was essential to have publicly owned land available for business development, primarily to be used as an incentive to help locate businesses. With the exception of approximately seven acres in the Industrial Park, the County does not have any other public land, but does have a number of privately owned areas zoned for industrial use. It would be prudent for the County to work in partnership with private landowners to try to develop some sites before anyone called for more public land. The economic site selection process has been compressed into six months compared to years ago when it took one to two years from the time the company started looking to the time it could actually break ground. Site selection consultants do not like looking at green fields with no utilities or roadways in place; they like seeing roadways and utilities onsite. With that in mind, the Industrial Development Authority has been approached, and they indicated they would consider funding some of the initial infrastructure on some private land provided there was a clear partnership and agreement that the IDA would be repaid from the proceeds of the land.

3. A marketing strategy is being developed to attract growing businesses in Northern Virginia that are looking for additional or new space at a reasonable cost. Recent rulings within Homeland Security require setbacks from highways and such things that cannot be met in urban areas, and Culpeper offers an opportunity to meet those requirements. One of the keys to the strategy is a good understanding of the skill sets of the workforce, both the local workforce and community workforce, and opportunities will be explored to obtain professional help in defining the County's workforce skill sets.

AIRPORT ADVISORY COMMITTEE REPORT - JUNE 8, 2005

Mr. Bossio reported that the Airport Advisory Committee met, but there were no action items to bring forward to the full Board.

See Attachment #5 for details of meeting.

ADMINISTRATOR'S REPORT

Mr. Bossio had no Administrator's Report to present.

CLOSED SESSION

Mr. Nixon, moved to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* §2.2-3711(A)(1), to consider: (A) A resignation from the Disability Services Board; (B) a resignation from the Parks and Recreation Advisory Committee; (C) Evaluation of the County Administrator; and (D) Evaluation of the County Attorney.

2. Under *Virginia Code* §2.2-3711(A)(3) and (A)(7), for discussion with legal counsel and Staff pertaining to the sale of parcels in the Airport Industrial Park, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
3. Under *Virginia Code* §2.2-3711(A)(3) and (A)(7), for discussion with legal counsel and staff to consider alternative real estate options for the relocation of a specific County agency, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.
4. Under *Virginia Code* §2.2-3711(A)(7), for consultation with legal counsel and staff on legal issues and alternative approaches relating to potential wasteload allocations by DEQ.

Seconded by Mrs. Hansohn.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Nay – Chase

Motion carried 6 to 1.

The Board entered into closed session at 12:35 p.m.

Mr. Coates recess the meeting at 12:40 for a lunch break.

The Board reentered into closed session at 2:15 p.m.

Mr. Chase did not return for the afternoon portion of the closed session.

The Board returned to open session at 5:11 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Mr. Coates asked that the record show Mr. Chase was present for the first part of the Closed Session, but did not return for the afternoon session of the meeting.

Ayes - Walker, Lee, Coates, Nixon, Rosenberger, Hansohn.

RE: ACCEPTANCE OF RESIGNATION FROM DISABILITY SERVICES BOARD

Mr. Nixon moved to regretfully accept the resignation of E. Alan Anstine from the Disability Services Board, and authorize the advertisement to fill the vacancy. Seconded by Mrs. Hansohn.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: ACCEPTANCE OF RESIGNATION FROM THE PARKS & RECREATION ADVISORY BOARD

Mr. Nixon moved to regretfully accept the resignation of E. Alan Anstine, as the West Fairfax representative, from the Parks & Recreation Advisory Committee, and authorize the advertisement to fill the vacancy. Seconded by Mr. Walker.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: RENEWAL OF CONTRACT

Mr. Nixon moved to renew the County Administrator's contract for one year. Seconded by Mrs. Hansohn.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: RENEWAL OF CONTRACT

Mr. Nixon moved to renew the County Attorney's contract for one year. Seconded by Mrs. Hansohn.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

ADJOURNMENT

Mrs. Hansohn moved to adjourn at 5:14 p.m. Seconded by Mr. Nixon.

Mr. Coates called for voice vote.

Ayes – Coates, Hansohn, Lee, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Peggy S. Crane, CMC
Deputy Clerk

John F. Coates, Chairman

ATTEST:

Frank T. Bossio
Clerk to the Board

Approved: August 5, 2005